



## The Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986

Act 1 of 1987

Keyword(s):  
Criminal Procedure

Amendment appended: 15 of 2014

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## **The Code of Criminal Procedure (Goa, Daman and Diu) Act, 1986**

**The Code of Criminal Procedure (Goa, Daman and Diu Amendment)  
Act, 1986**

**The Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986 (Act No. 1 of 1987) [13-1-1987]** published in the Official Gazette, Series I No. 46 dated 12-02-1987 and came into force at once.

**The Code of Criminal Procedure (Goa, Daman and Diu Law Amendment) Act, 1932 (23 of 1932) [27-6-1973]** published in the Government Gazette, Series I No. 44 dated 5-7-1973 and came into force at once.

**Arrangement of sections**

<b>1</b>	<b>Short title and commencement</b>
<b>2</b>	<b>Amendment of section 357</b>
<b>3</b>	<b>Amendment of Rule 3</b>

GOVERNMENT OF GOA, DAMAN AND DIU

**Department of Law**

(Legal Affairs) Division

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**Notification**

7-21-86/LA

The Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986 (Act 1 of 1987), which has been passed by the Legislative Assembly on 31-7-1986 and assented to by the President of India on 13-1-1987, is hereby published for the general information of the public.

*P. V. Kadnekar*, Under Secretary (Drafting).

Panaji, 29th January, 1987.

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**The Code of Criminal Procedure (Goa, Daman and Diu Amendment)**

**Act, 1986**

(Act No. 1 of 1987) [13-1-1987]

AN

ACT

*to amend the Code of Criminal Procedure, 1973 in its application to the Union territory of Goa, Daman and Diu.*

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-seventh Year of the Republic of India as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Code of Criminal Procedure (Goa, Daman and Diu Amendment) Act, 1986.

(2) It shall come into force at once.

**2. Amendment of section 357.**— In section 357 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974)—

(i) in sub-section (1), for the brackets, figure and words “(1) When a Court imposes a sentence of fine or a sentence (including a sentence of death) of which fine forms a part, the Court may, when passing judgement, order the whole or any part of the fine recovered to be applied—”, the brackets, figure and words “(1) When a Court imposes a sentence of fine or a sentence (including a sentence of death) of which fine forms a part, the Court may, and where a person against whom an offence is committed belongs to the Scheduled Caste or the Scheduled Tribe as defined in clauses (24) and (25) of article 366 of the Constitution except when both the accused person and the person against whom an offence is committed belong either to such Castes or Tribes, the Court shall, when passing judgement, order the whole or any part of the fine recovered to be applied —” shall be substituted;

(ii) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) When a Court imposes a sentence, of which fine does not form a part, the Court may, and where a person against whom an offence is committed belongs to the Scheduled Castes or the Scheduled Tribes as defined in clauses (24) and (25) of article 366 of the Constitution, the Court shall, when passing judgement, order the accused person to pay, by way of compensation, such amount as may be specified in the order to the person who has suffered any loss or injury by reason of the act for which the accused person has been so sentenced:

Provided that the Court may not order the accused person to pay by way of compensation any amount, if both the accused person and the person against whom an offence is committed belong either to the Scheduled Castes or the Scheduled Tribes.”.

Secretariat,  
Panaji-Goa,  
Dated 29-1-1987.

RAGHU CHANDER,  
Secretary to the Government of  
Goa, Daman and Diu,  
Law Department (Legal Affairs).

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### Home Department ‘A’

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#### Notification

HD.44-104/73-A

In exercise of the powers conferred by sub-sections (1) and (2) of section 10 of the Criminal Law Amendment Act, 1932 (23 of 1932) the Lt. Governor of Goa, Daman and Diu hereby declares that—

(i) notwithstanding anything contained in the Code of Criminal Procedure, 1898, any offence punishable under Sections 186, 188, 189, 228, 295-A, 298, 505, <sup>1</sup>[506] or 507 of the Indian Penal Code, 1860 (45 of 1860) when committed within the Union territory of Goa, Daman and Diu shall be cognizable; and

(ii) any offence punishable under Section 188 or 506 of the Indian Penal Code 1860 shall be non-bailable when committed within the Union territory of Goa, Daman and Diu.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

*G. M. Sardesai*, Under Secretary (Home).

Panaji, 27<sup>th</sup> June, 1973.

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### Home Department 'C'

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#### Notification

HD/33/9/CEP/73-C

In exercise of the powers conferred by section 46 of the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 (6 of 1964), the Government of Goa, Daman and Diu hereby makes the following rules so as to further amend the Goa, Daman and Diu Administration of Evacuee Property Rules, 1965, namely:—

**1. Short title and commencement.**— (1) These Rules may be called the Goa, Daman and Diu Administration of Evacuee Property (Amendment) Rules, 1973.

(2) They shall come into force at once.

**2. Amendment of Rule 3.**— For Rule 3 of the Goa, Daman and Diu Administration of Evacuee Property Rules, 1965, the following shall be substituted, namely:—

“3. The Custodian shall be a person qualified in law and having legal experience of not less than three years as a practicing advocate or as a Law Officer in the Law Department of the Central Government, State Government or the Union Territory Government”.

By order and in the name of the Administrator of Goa, Daman and Diu.

*G. M. Sardesai*, Under Secretary (Home).

Panaji, 21<sup>st</sup> July, 1973.

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<sup>1</sup> Added '506' after Section '505' by Corrigendum dated 5<sup>th</sup> July, 1973 published in the Official Gazette, Series I No. 17 dated 26<sup>th</sup> July, 1973.

Panaji, 19th September, 2014 (Bhadra 28, 1936)

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### GOVERNMENT OF GOA

Department of Law &amp; Judiciary

Legal Affairs Division

#### Notification

7/15/2014-LA

The Code of Criminal Procedure (Goa Amendment) Act, 2014 (Goa Act 15 of 2014), which has been passed by the Legislative Assembly of Goa on 20-08-2014 and assented to by the Governor of Goa on 17-09-2014, is hereby published for general information of the public.

*D. S. Raut Dessai*, Under Secretary (L.A.).  
Porvorim, 17th September, 2014.

#### The Code of Criminal Procedure (Goa Amendment) Act, 2014

(Goa Act 15 of 2014) [17-9-2014]

AN

ACT

*further to amend the Code of Criminal Procedure, 1973 (2 of 1974), in its application to the State of Goa.*

Be it enacted by the Legislative Assembly of Goa in the Sixty-fifth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Code of Criminal Procedure (Goa Amendment) Act, 2014.

(2) It shall come into force at once.

2. *Amendment of section 156.*— In section 156 of the Code of Criminal Procedure, 1973 (2 of 1974) in sub-section (3), the following proviso shall be inserted, namely:—

“Provided that before passing any orders, the Magistrate shall issue notice to and hear the Public Prosecutor/Government Counsel/Pleader and the Superintendent of Police in the matter.”.

Secretariat,  
Porvorim-Goa.  
Dated: 19-09-2014.

R. K. SRIVASTAVA,  
Secretary to the  
Government of Goa,  
Law Dept. (Legal Affairs).

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